



ZFW

PTO/SB/21 (09-04)

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number

10/684,846

Filing Date

October 14, 2003

First Named Inventor

MARK SELBY

Art Unit

1648

Examiner Name

Bao Q. Li

Attorney Docket Number

PP01676.006 (2300-1676.10)

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Response to Restriction Req (2 pages)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	Return Receipt Postcard (1 page)
	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 18-1648.
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Robins & Pasternak LLP		
Signature			
Printed name	Roberta L. Robins		
Date	11/22/05	Reg. No.	33,208

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name	Anne Currier Carr	Date	Nov. 22, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the following date: Nov. 22, 2005



Anne Currier Carr
Name of Person Mailing Paper or Fee

Anne Currier Carr
Signature of Person Mailing Paper or Fee

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: SELBY et al.

Application No.: 10/684,846

Examiner: Li, Bao Q

Confirmation No.: 3512

Art Unit: 1648

Filed: October 14, 2003

For: ENHANCED REPLICATION OF HCV RNA

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO REQUIREMENT FOR RESTRICTION

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is presented in response to the Restriction Requirement dated November 3, 2005, with a shortened statutory period of one month for response. Accordingly this response is timely filed.

The Examiner required election of one of the following groups of claims:

Group I. Claims 11-31, drawn to a method of generating a cell and a cell comprising a sub-genomic viral replicon¹;

Group II. Claims 32-39, drawn to a method for screening a compound that inhibits viral replication.

¹ Applicants note claims 1-10 were not included in either of Groups I or II. Applicants assume the Examiner intended to include claims 1-10 in Group I as all of these claims are directed to methods of generating a cell comprising a sub-genomic viral replicon.

The Office is requiring applicants to choose one of the following:

- (A) A cell comprising an HCV sub-genomic virus;
- (B) A cell comprising a Sindbis virus sub-genomic virus;
- (C) A cell comprising a poliovirus sub-genomic virus; and
- (D) A cell comprising a BVDV sub-genomic virus.

The Office is also requiring applicants to choose one of the following:

- (i) A cell expressing a dominant negative PKR;
- (ii) A cell comprising at least one copy mutation of endogenous PKR gene;
- (iii) A cell expressing p58^{IPK} protein;
- (iv) A cell disabled by adding 5-amino purine;
- (v) A cell expressing HCV E2;
- (vi) A cell using PKR antisense.

Applicants hereby elect the claims of Group I, (A), (i). The claims reading on these elections are claims 1-4, 10, 11, 15, 16, 20, 21 and 27-31. Applicants expressly reserve their right under 35 USC §121 to file one or more divisional applications directed to the nonelected subject matter during the pendency of this application.


Please direct all further communications in this application to:

Michael J. Moran, Esq.
Chiron Corporation
Intellectual Property – R440
P.O. Box 8097
Emeryville, CA 94662-8097

Respectfully submitted,

Date: 11/22/05

CHIRON CORPORATION
Intellectual Property - R440
P.O. Box 8097
Emeryville, CA 94662-8097

By: 

Roberta L. Robins
Registration No. 33,208
Attorney for Applicants